

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

This application is in condition for allowance except for the presence of claims 6 - 9 directed to an invention indicated as Groups 2 and 3 which were nonelected without traverse in the response of June 9, 2008. Accordingly, claims 6 - 9 have been canceled.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: The Applicant's Amendments and Accompanying Remarks, filed July 13, 2009, have been entered and have been carefully considered. Claim 1 is amended, claims 10 - 15 are added and claims 1 - 5 and 10 - 15 are pending.
3. In view of the amendment to independent claim 1 clarifying the yarn structure, specifically indicating that each of the under-twisted yarns have a sheath-core structure, the Examiner withdraws 35 USC 112, 2nd paragraph rejection as detailed in paragraphs 2 - 4 of the Office Action dated October 17, 2008.
4. In view of Applicant's amendment to claim 1 and Applicant's arguments, the Examiner withdraws the rejections as anticipated and/or obvious over Murkami et al.

(US 6,074,751) as detailed in paragraphs 5 – 8 of the Office Action dated October 17, 2008. The closest prior art, Murakami et al. (US 6,074,751), teaches a composite yarn having a sheath-core structure comprising component yarn A and component yarn B each false twisted and crimped (column 1, lines 14 - 25 and column 2, lines 55 - 65). The component yarn A and component yarn B have a different length and the composite yarn has loops (column 2, lines 65 - 68 and column 3, lines 1 - 15). Murkami et al. fail to teach that the composite yarn equated to Applicant's "thread" comprises *under-twisted* yarns where each yarn has a sheath-core structure and the thread structure has an *upper-twist*. An updated art search did not produce any new substantial art for which to base a rejection and presently no motivation exists to combine references to render the claimed invention obvious.

5. As such, claims 1 – 5 and 10 – 15 are found allowable over the prior art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER A. CHRISS whose telephone number is (571)272-7783. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 6 p.m., first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Tarazano can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jennifer A Chriss/
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